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SEP 15 2005

Docket No.: 09086-00223-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hans-Robert-Hellmuth Damrau et al.

Application No.: 10/532523

Confirmation No.: Not Yet Assigned

Filed: April 25, 2005

Art Unit: N/A

For: PREPARATION OF PARTIALLY
HYDROGENATED RAC-ANSA-
METALLOCENE COMPLEXES

Examiner: Not Yet Assigned

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02/20/2005 MAYPAGH 00000041 032775 10532523
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PETITION UNDER 37 CFR 1.47(a)

13 JAN 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Legal Staff
International Division

Dear Sir:

In accordance with 37 CFR 1.47(a) applicants hereby petition for acceptance of the attached Combined Declaration and Power of Attorney which has been signed by the available inventors on their own behalf and on behalf of Stephanie Duchiron who could not be found or reached after diligent effort. The attached Combined Declaration and Power of Attorney is being presented in accordance with MPEP 409.03(a) wherein the "oath or declaration signed by all the available joint inventors with the signature block of the nonsigning inventor(s) left blank may be treated as having been signed by all the available joint inventors on behalf of the nonsigning inventor(s) unless otherwise indicated." The attached Combined Declaration and Power of Attorney having been signed by the available inventors and having left the blank signature block for inventor Duchiron should thus be in compliance with MPEP 409.03(a) and 37 CFR 1.47(a).

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Also attached is a Declaration from Renate Timmler who coordinated the efforts in attempting to find or reach the missing inventor, Stephanie Duchiron. As is apparent from the Declaration of Renate Timmler, efforts were diligently made although unsuccessful. The Declaration in paragraph 6 also lists the last known address of the nonsigning joint inventor, Stephanie Duchiron.

A fee is due in the amount of \$200.00. Please charge our Deposit Account No. 03-2775, under Order No. 09086-00023-US from which the undersigned is authorized to draw. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 09086-00223-US. A duplicate copy of this paper is enclosed.

Dated: September 15, 2005

Respectfully submitted,

By 
Helena C. Rychlicki

Registration No.: 48,179

Ashley I. Pezzner

Registration No.: 35,646

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DECLARATION OF FACTS

Renate Timmler declares as follows:

1. I am an employee of Basell Polyolefine GMBH and I make the following Declaration of Facts regarding my efforts to contact one of the inventors (Stephanie Duchiron) of the above captioned pending application for the purpose of signing the Combined Declaration and Power of Attorney.
2. At the time of the invention, Stephanie Duchiron was an employee of Clariant France and lived in France at 1 rue Georges Forest, F-60200 Compiègne. She had an obligation to assign this invention to Basell Polyolefine GMBH.
3. Before the filing of this application in Germany, Ms. Duchiron left her employ with Clariant France.
4. I obtained her last known address from another of the co-inventors, Patrik Muller. I sent the Combined Declaration and Power of Attorney documents by mail to Ms. Duchiron for signature but received no

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Declaration of Facts

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response. I therefore, then sent the documents again to the address by courier. The courier was not able to deliver the documents.

5. I contacted Mr. Muller once again but he could give me no more information about Ms. Duchiron's whereabouts.

6. Stephanie Duchiron's last known address is:

1 rue Georges Forest
F-60200 Compiègne
France

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this patent application and the resulting patent(s).

Dated: 29 August 2005

Respectfully submitted,

By Renate Timmler
Renate Timmler